

Application No.: 10/004847

Case No.: 57320US002

**REMARKS**

Claims 1 and 3-17 are pending. No claims have been added. Claim 2 has been canceled. Claims 1 and 3 are amended. Claim 1 is amended to incorporate the optional element of original claim 2. Claim 3 is amended to change the dependency from claim 2 to claim 1.

**§ 102/103 Rejections**

Claims 1, 5 and 8-17 stand rejected under 35 USC § 10(b) as anticipated by, or in the alternative under 35 USC § 103(a) as being unpatentable over U.S. 5,350,795 (Smith et al.). The rejection is avoided by amendments presented herewith.

The Office Action asserts that Smith et al. discloses the instantly claimed compounds. The Office Action fails to note that the same disclosure, and all fluorochemical urethane compounds of the reference further comprise the reaction product of a poly(oxyalkylene) diol or dithiol. Reference may be made to the description at column 4, lines 10 and 11; Formula I bridging columns 2 and 4 and the accompanying description of group (R<sup>1</sup>)<sub>y</sub> at column 4 lines 64 to 66; and column 8, line 53 to column 9, line 2. In making the rejection, the Examiner ignores what appears to be an essential feature of Smith et al.

Applicants urethane component contains no poly(oxyalkylene) group, and is therefore novel in view of Smith et al. Instead, those isocyanate groups left unreacted by Applicant's fluorochemical monofunctional compound may be reacted with an aliphatic monofunctional compound, which is the subject of claims 3, 4, 6 and 7. Smith et al. provide no teaching or suggestion of using either aliphatic monofunctional compounds in the absence of a poly(oxyalkylene) group. In regard to the instantly claimed compositions, Applicants are aware that incorporation of the poly(oxyalkylene) group into the urethane compound, as in Smith et al., deleteriously effects the antisoiling properties of the composition.

Claim 1 is amended to recite the instant fluorochemical urethane compounds consist essentially of the recited reaction product. According to M.P.E.P. 2111.03, the transitional phrase "consisting essentially of" limits the scope of the claims to the specified materials or steps and those that do not materially effect the basic and novel characteristics of the claimed invention.

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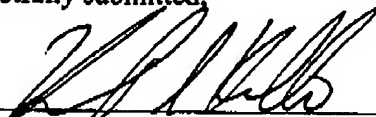
In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Allowance of claims 1 and 3-17, as amended, at an early date is solicited.

Respectfully submitted,

Date

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By:

  
Kent S. Kokko, Reg. No.: 33,931  
Telephone No.: (651) 733-3597

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833